



#16
2681

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q67057

Werner BERGER, et al.

Appln. No.: 09/986,866

Group Art Unit: 2681

Confirmation No.: 6033

Examiner: Not Assigned

Filed: November 09, 2001

For: RACK, IN PARTICULAR FOR CABLE TELEVISION

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98**

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Commissioner for Patents
Washington, D.C. 20231

OCT 10 2002

Technology Center 2600

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicants hereby notify the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, along with a copy of the corresponding Communication from a Foreign Patent Office.

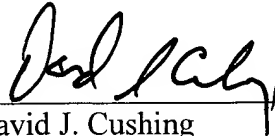
The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date for an application other than a continued prosecution application (CPA) under §1.53(d); (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a

INFORMATION DISCLOSURE STATEMENT
U.S. Appln. No.: 09/986,866

request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Respectfully submitted,



David J. Cushing
Registration No. 28,703

SUGHRUE MION, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, D.C. 20037-3213
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

Date: October 9, 2002

German Patent Office

Attachment 3

80297 Munich

for communication of the researched
publications

Instructions for Communication (Form P 2251)

No guarantee is extended for the completeness of the investigation (§ 43 subsection 7 Patent Law, or § 7 subsection 2 Utility Model Law in connection with § 43 subsection 7 sentence 1 Patent Law).

The indicated patent literature can be seen in the depository and application review room of the German Patent Office, 80331 Munich, Zweibrückenstraße 12 or 10969 Berlin, Gitschiner Str. 97; German patent specifications, published examined applications and published applications also in the patent information centers. A list of these patent information centers can be obtained by request from the German Patent Office, as well as from some private companies.

Explanations for Attachment 2 (Form P 2253)

Column 1: Category

It means:

- X: Publications that place novelty or inventive step alone in question
- Y: Publications that together with other publications place the inventive step in question
- A: General on the state of the art, technological background
- O: Non-written disclosure, e.g. a report printed in a later-disclosed publication that was obtained before the application or priority date
- P: Publications disclosed in the priority interval
- T: Later-disclosed, non-conflicting publications that concern the theory of the invention applied for and can be useful for a better understanding for invention applied for, or can show that the sequence of ideas or facts on which the invention applied for is based could be false
- E: Older applications as per § 3 subsection 2 Patent Law (with investigations as per § 43 Patent Law); older patent applications or older utility models as per § 15 Utility Model Law (with investigations as per § 7 Utility Model Law)
- D: Publications that are already cited in the patent application
- L: Publications cited for special reasons, e.g. for the disclosure date of an opposing citation or in case the priority is in doubt.

Column 2 Researched Publications / Explanations

- Veröff.: Disclosure date of a publication in the priority interval
- nr: Not researched, because is in the generally known in the art, or not researchable
- =: Publications that refer back to the same original application ("Patent Families) or to which reports or abstracts refer.
- "-": Not researched

Column 3 Claims affected

Here, the claims are stated under assignment to the relevant places cited in Column 2

Substitute for Form 1449 A & B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>		<i>Complete if Known</i>	
		Application Number	09/986,866
		Confirmation Number	6033
		Filing Date	November 09, 2001
		First Named Inventor	Werner BERGER
		Art Unit	2681
		Examiner Name	Not Assigned
		Attorney Docket Number	Q67057

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code ² (if known)		
		US 6,144,561		11/07/01	Cannella, Jr. et al
		US			
		US			
		US			
		US			
		US			
		US			
		US			

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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)			
		WO	0065831		11/02/00	ADC Telecommunications, Inc.	Yes
		EP	0419137	A2	03/27/91	General Instrument Corporation	Yes

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation ⁶

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to indicate here if English language Translation is attached.